

ARTICLE 2

PLATTING PROCEDURES

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Section 2.01 Outline of Procedures and Requirements

The preparation submittal, review, and approval of all subdivision plats located inside the limits of the Town of Fountain Hills shall proceed through the following progressive stages:

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| Stage I | - | Pre-application Conference |
| Stage II | - | Preliminary Plat Application |
| Stage III | - | Subdivision Technical Review |
| Stage IV | - | Preliminary Plat Approval |
| Stage V | - | Final Plat/Improvement Plans |

This procedure may be modified by the community Development Director based on unique circumstances.

Section 2.02 Stage I Pre-Application Conference.

A. Actions by the Subdivider.

1. The Subdivider shall meet with Community Development Department staff and submit seven copies of the proposed "sketch plan" with general information regarding land use, street and lot arrangement, tentative lot sizes, slopes, existing topography, proposed grading, and building pad concepts and such additional information as may be required by staff in order to complete the submittal.
2. Tentative proposals shall be based on information from the Engineering Department or other appropriate agencies regarding water supply, sewage disposal, drainage, detention, and street improvements. Where methods may be considered unconventional, or private, these may be indicated by notes.

B. Actions by the Department.

The Department shall discuss the proposal with the subdivider in general terms, advising the subdivider of the procedural steps, design and improvement standards, and general platting requirements. Depending on the scope of the proposed development, the Department shall distribute the seven "sketch plans" to the following agencies, requesting that the following investigations be made:

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1. **Community Development Department:** To check the existing zoning of the tract and to make recommendations if a zoning change is necessary or desirable; to review the proposal and its relationship to adjacent land uses, the General Plan's goals and objectives; to review the compliance with Subdivision Ordinance regulations and any other applicable regulations.
2. **Fountain Hills Engineering Department:** To review relationship of property to major streets, utility systems and any unusual characteristics such as topography, flooding, landscaping etc. To determine street width and right-of-way requirements, driveway relationships, minimum curve requirements and other traffic control related characteristics. To identify possible off-site public improvements and dedications.
3. **Fountain Hills Parks and Recreation Department:** To determine the degree of parks and other public open space requirements for the area as determined by *The Fountain Hills General Plan*; to then determine what space needs shall be reserved or set aside with any special requirements for such site; to determine how such space needs are to be acquired; and to request a meeting with the applicant to resolve potential acquisition.
4. **Fountain Hills Sanitary District:** To review the wastewater disposal system, line sizing and location, treatment plant capacity and other requirements of the District.
5. **Chaparral City Water Company:** To review the water distribution system, line sizing and location and other requirements of the company.
6. **Fountain Hills Fire District:** To review the water distribution system, line sizing and location and other requirements of the District.
7. **Fountain Hills School District:** To reflect the needs of the school district and to reserve land areas as shown in *The Fountain Hills General Plan*, pursuant to Article VII, for the development of new school district facilities, including schools.

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Section 2.03 Stage II Preliminary Plat Application

- A. Submittal Requirements:** The following information is required and shall be shown graphically, by note, or by letter and may comprise several sheets showing various elements of the required data. All mapped data for the same plat shall be drawn at the same standard engineering scale, adjusted to produce an overall drawing of 24" x 36" and in conformance with requirements contained in this ordinance and by the Town Engineer and other reviewing agencies.
1. The applicant may use more than one sheet if necessary, using one of the standard engineering scales. In cases of multiple residence PUD's, the scale shall be not less than one inch to 40 feet, providing sufficient detail to illustrate the subdivider's intent.
 2. Required copies of the approved site plan and elevations accompanying the submittal shall also comply with the maximum sheet size of 24" x 36".
- B. Copies/Sets required:** 20 copies/sets of the proposed preliminary plat are required. The proposed plats shall be printed on 24" x 36", blue or black line paper. In cases of PUD's (residential, office, commercial or industrial) that have been reviewed and approved by the Commission and Town Council 20 copies of the approved site plan, typical floor plans and elevations, shall also be submitted.
- C. Identification and Descriptive Data:**
1. The Title shall contain the proposed subdivision name, which shall be clearly indicated, and include the location by section, township and range with reference by dimension and bearing to a quarter section corner. The proposed subdivision name shall not duplicate any other recorded plat name with Fountain Hills. The subdivision name should be carefully considered, as it will become a part of the public record once a final plat has been recorded.
 2. Subdivider/Developer's firm name, address, phone number and name of person to contact.
 3. Engineering, surveying, land planning or architectural firm name, address, phone number and the name and title of person to contact.

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4. Scale, north arrow (pointing up or to the right), and date of preparation including any subsequent revision dates.
5. Location map with reference to main arterial streets.
6. A surveyed boundary, including distances, lengths, and bearings and the total size of the proposed subdivision.

D. Existing Conditions and Data: All subdivision submittals shall provide the following existing information by graphic representation or note.

1. Topography by contour lines as related to U.S.G.S. datum or approved equal. The contour interval shall be noted on the same map as the subdivision layout and shall adequately reflect character and drainage patterns of the land.
2. Location of fences, existing structures, wells, ditches (open or covered), washes, trees, all significant vegetation and significant rock outcroppings, and all other features or characteristics that could have a bearing on the review.
3. Location, frequency and extent of areas subject to flooding or storm runoff must be defined.
4. Location, rights-of-way and names of all dedicated streets and utility rights-of-way of public record, which may exist around the perimeter of the site boundaries, through or across it. Show any permanent structures that are to remain, including water wells and public or private utility lines within or adjacent to the tract or subdivision. Show all driveways, streets and median openings within 325 feet of any proposed driveway or street intersection on the opposite side of the perimeter streets.
5. Name, book and page number of any recorded subdivision adjacent to or having common boundaries with this plat.
6. Base zone of the subject and adjacent tract, the zoning case number (e.g. Z95-001), if any, and case number of a Planned Unit Development approved by the Town, if applicable.
7. Gross acreage of subject tract. Do not include previously dedicated rights-of-way in this figure.

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8. Boundaries and dimensions of the tract to be subdivided shall be fully dimensioned.
 9. Detailed information shall be provided to ensure compliance with Article V, Grading Standards, of this Ordinance. This information includes but is not limited to a slope analysis of the existing topography, slope area calculations and cut and fill grading exhibits proposed for the subdivision improvements, and delineation of the Hillside Protection Easement areas.
- E. Proposed Conditions and Data:** All subdivision submittals shall provide the following proposed information by graphic representation or note.
1. Layout of proposed streets, giving widths, preliminary curve data, curve lengths, and proposed street names based on existing projected alignments wherever possible.
 2. Typical lot dimensions, dimensions of all corner lots, lots on curvilinear sections of streets, and all lots where the number of sides exceed four. Number each lot individually and give the total number of lots. Where plats will consist of a number of units/phases, utilizing the same subdivision name, the lot numbering shall be consecutive through the total number of lots or units.
 3. Designation of all land to be dedicated or reserved for open space, parks, detention/retention basins, schools, well sites, substations, sewer lift stations, reservoirs, water pump stations or other public or private uses.
 4. If multiple uses are planned (multiple residential, commercial, industrial, office), such areas shall be clearly designated, together with existing zones and proposed zoning changes, if any.
 5. Show minimum setback lines. Where there are lots with more than four sides or whose shape may be considered atypical, show all setbacks.

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F. Proposed Utility System:

1. Show method of sewage disposal (a statement as to the type of facilities shall appear on the preliminary plat). Also show the preliminary sewer layout indicating line sizes and manhole and cleanout locations.
2. The preliminary layout of the water system shall be shown, indicating fire hydrants, valves, meter vaults, water line sizes and locations.

G. Proposed Drainage and Grading Plans: Preliminary calculations and layout of the proposed storm drainage system based on a ten-year storm and checked for the one hundred year storm. Where off-site detention has not been provided, or where there are known downstream drainage problems, design shall be such that water from streets, lots and alleys shall be detained on-site until the peak of the storm passes. Two sets of calculations shall be submitted at the time of technical review for analysis by the Engineering Department. Calculations shall be typed on separate letter sized sheets with any necessary maps attached.

H. Environmental Site Assessment: The purpose of the environmental site assessment is to provide a written and graphic analysis of the environmental characteristics of the site so that the Town of Fountain Hills can evaluate and plan for the future use of the site. This two-part assessment includes a "Phase 1 Environmental Report" and a "Environmentally-Sensitive Areas Study". The "Phase 1 Environmental Report" will identify any hazardous waste sites within the subdivision. The "Environmentally-Sensitive Areas Study" will better inform the Town by identifying the most environmentally-sensitive areas, as defined in Article I, within a proposed subdivision, including wildlife habitat and corridors, so that the Town can work with the subdivider to preserve the most environmentally-sensitive areas of the site. The Town can also use this information to determine whether the Town desires to acquire any land within a proposed subdivision, for reasons including but not limited to the preservation of wildlife habitat and corridors.

Environmental site assessments are required for all preliminary plat applications that propose the subdivision of an area equal to or greater than ten acres, or for proposed subdivisions less than ten acres, at the discretion of the Community Development Director. This study shall include written reports and maps that provide the information required in the following four sections:

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1. Phase 1 Environmental Report:

a. The "Phase 1 Environmental Report" shall:

1. Describe the site and identify uses or activities which might indicate the presence of disposed hazardous substances, and;
2. Be prepared through the review of readily available information, including but not limited to engineering, regulatory, and historical records of the site, and through the interviewing of the current and any past owners of the site, tenants and neighbors, and;
3. Be prepared through the review of the regional geology and hydrogeology of the site and the site's vicinity, available records of groundwater contamination up/and down gradient from the site, obtainable reports of compliance violations and/or containment discharges in the site's vicinity, and the proximity of the site to known environmental conditions or problems within approximately one mile of the site, and;
4. Reference the data, records and source of information.

b. The applicant's consultant shall:

1. Manually-observe the site surface closely for evidence of potential contamination such as soil stabilizing, discarded chemical containers, vegetative distress, and;
2. Interview the tenants on or adjacent to the site with respect to their use of hazardous substances on the site, and;
3. Investigate the registration status of any existing underground storage tanks or drywells on or adjacent to the site, and;
4. Identify any adverse environmental impacts.

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2. Environmentally-Sensitive Areas Study:

a. An Environmentally-Sensitive Areas Study shall be made. The scope of work for the study shall be provided by the Community Development Department. In addition to the requirements of the scope of work, this study shall:

1. Include a description and mapped locations of any "significant vegetation" or "significant rock outcroppings", as defined in Article I, and;
2. Identify and map lands located in a "flood plain", as defined in Article I, and;
3. Identify and map the habitat of endangered wildlife, as identified on federal or state lists, and;
4. Identify and map all slopes in excess of 15 percent as measured over two-foot areas that are 500 or more square feet in size, in slope intervals of: 0 to less than 10 percent, 10 to less than 20 percent, 20 to less than 30 percent, and all areas 30 percent or greater using the contour intervals to the extent required in Article V, Section 504.A.

b. The applicant's consultant shall identify any adverse environmental impacts.

3. Mitigation Measures: The applicant's consultant shall specify what, if any, mitigation measures are necessary to address any unmitigated environmental impacts that are identified in the study. The final plat shall not be approved or recorded until all unmitigated environmental impacts are mitigated through measures included and assured in the subdivision's improvement plans.

4. Report: The Environmental Site Assessment Report shall include a narrative and any mapping necessary to provide the information required in subsections 1 through 3, above, including any recommendations for additional work, if considered necessary.

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- I. Condominium Subdivisions:** Application requirements, processing and approval regulations contained within this ordinance shall apply to all condominium subdivisions; provided, however that with respect to approvals for condominium conversion subdivisions only, the Community Development Director shall perform all of the duties of the Planning and Zoning Commission and the Town Council and shall have the authority to review and administratively approve such condominium conversion subdivision.
- 1.** The Town Council shall not refuse approval of a final plat of a condominium subdivision that is in compliance with the provisions of this Ordinance and The Zoning Ordinance for the Town of Fountain Hills, as long as the location of buildings shown on the plat and the manner in which airspace is to be divided in conveying the condominium are not in violation of these Ordinances. This subsection does not limit the power of the Town Council to regulate the location of buildings in such a project by or pursuant to The Zoning Ordinance for the Town of Fountain Hills.
 - 2.** In order for the condominium subdivision application to be considered complete, the applicant shall provide to the Town any plans, specifications and/or analyses needed to show that the proposed condominium subdivision is in compliance with this Ordinance and The Zoning Ordinance for the Town of Fountain Hills, including but not limited to grading plans, floor plans, elevations, landscape plans, and hillside disturbance plans and analyses.
 - 3.** Upon final condominium subdivision approval and recordation, the owner of the condominium subdivision may build that condominium subdivision, including individual condominium units, using the exact dimensions and locations as shown on the final condominium subdivision plat map, regardless of any legal non-conforming attribute that the subdivision may have at the time of building permit application. However, if the owner proposes any changes to the dimensions or locations as shown on the final condominium subdivision plat map, including but not limited to the locations and dimensions of individual condominium units, the owner shall be required to re-subdivide the condominium subdivision, and the re-subdivision shall be required to be in conformance with the subdivision and zoning regulations in effect at the time of replat application.

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- J. Filing Fee:** The subdivider shall, at the time of filing, pay to the Department the preliminary plat application fee established by the Town Council.

Section 2.04 Stage III Subdivision Technical Review

- A. Process.** The Town hosts a Subdivision Technical Review Committee (STRC) meeting on a periodic basis. In order for a preliminary plat to be scheduled for a particular STRC meeting, a complete preliminary plat application must be received and accepted by the Town prior to a date approximately one month prior to the STRC meeting at which the applicant desires the project to be discussed. The Community Development Department maintains this schedule. The applicant is provided an opportunity to meet with representatives from all applicable utilities and other interested governmental agencies to receive comments regarding the preliminary plat application. At this meeting, the applicant will also receive written comments from the Town, detailing the extent to which the plans are required to be revised in order for the Town to schedule Planning and Zoning Commission consideration of their recommendation to the Town Council regarding the preliminary plat. Extensive revisions caused by the STRC's comments or by voluntary action of the applicant, may require additional STRC meetings.

Critical path preliminary plat processing project timetables, including monthly preliminary plat application deadlines, STRC meeting dates, required resubmitted dates and Planning and Zoning Commission meeting dates are established and maintained by the Community Development Department.

Section 2.05 Stage IV Preliminary Plat Approval

The preliminary plat approval stage involves the resubmission of the preliminary plat to address the STRC comments. Included in this stage is the review of the resubmitted plans and approval of the preliminary plat. The subdivider shall provide the Department with all information essential to determine the character and general acceptability of the proposed development.

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A. Preliminary Plat Submission:

- 1.** The applicant shall submit 20 full-sized, 24" x 36", blue or black line paper prints of the preliminary plat, one 8½" x 11" transparency, and one 8½" x 11" black line print. Preliminary plats that correctly contain all of the information requested or required by the STRC shall be filed with the Department not less than 24 days prior to the Commission meeting at which the plat will be considered. Incomplete or incorrect submittals could cause delays in a preliminary plat being presented to the Planning and Zoning Commission. (Note: The submittal requirements given herein pertain only to those plats of a conventional nature for which rezoning is not a condition of approval. Consult with the Department staff for complete submittal, time requirements and procedures for those subdivisions involving rezoning, Planned Unit Developments, Area Specific Plans, and other land use exceptions).
- 2.** The submittal shall be checked by the Department for content. If incomplete the subdivider will be notified and given the opportunity to comply within five days. If compliance has not been met, the submittal is rejected.
- 3.** Any preliminary plat pending at the time of the effective date of this ordinance shall be required to conform to the processing time limitations stated below. Pending preliminary plats that have been reviewed by the STRC shall be placed into the processing timeline by observing the effective date of this ordinance as the date of the STRC meeting, and shall be required to meet the processing timetables as any preliminary plat submitted after the effective date of this ordinance.
- 4.** An applicant has 90 days from the date of the STRC meeting, or 90 days from the date of receipt of later redlines, in which to resubmit said plans. Failure to resubmit plans which address all of the STRC's comments, or subsequent redline comments, within 90 days of the STRC meeting or 90 days from the date of receipt of later redlines shall cause the application to be null and void.
- 5.** The preliminary plat shall be presented to the Commission at the first regularly scheduled meeting held at least 21 days after the Town receives preliminary plat plans addressing all of the STRC's comments.

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6. An applicant shall be required to submit a new preliminary plat application, including fees and another review of the subdivision by the STRC if the preliminary plat application, including any resubmitted versions, is not in substantial conformance from the original application. Substantial non-conformance is considered to be the following:
 - a. An increase in the number of lots or units.
 - b. A change in the size or configuration of the area proposed to be disturbed.
 - c. The realignment of any vehicular rights-of-way or utility facilities.

B. Preliminary Plat Review Responsibilities:

1. **Zoning:** The proposed plat shall be designed to meet the specific requirements of the zoning district within which it is located. However, in the event that rezoning is necessary for preliminary plat approval or if a Planned Unit Development approval is sought, such action shall be initiated concurrently with preliminary plat review by the property owner or his/her authorized agent. Any zoning change necessary for preliminary plat approval shall be effective prior to Town Council approval of the preliminary plat.
2. **Sanitary Sewerage, Water Supply and Other Public and Utility Services:** As a prerequisite of preliminary plat approval, the subdivider shall review tentative concepts with the County Health Department, the Town Engineering Department, the Chaparral City Water Company, the Fountain Hills Sanitary District, Salt River Project, U.S. West Communications, Cox Communications, Southwest Gas (if applicable) and the Fountain Hills Fire District for general approval of the preliminary design to be used.
3. **Parks, Recreation and Open Space:** The proposed plat shall be designed to provide the amount and type of parks and other public open space requirements for the area as determined by *The Fountain Hills General Plan*.

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- 4. Grading, Drainage and Streets:** The proposed plat shall be designed in conformance with the grading standards contained in this ordinance. Drainage plans must be approved by the Fountain Hills Engineering Department. The circulation patterns must be in conformance with The *Fountain Hills General Plan* Circulation Element.

C. Preliminary Plat Approval:

- 1.** At least one public notice sign (or more than one sign at the discretion of the Community Development Director) shall be posted on the subject property according to the following regulations. The public notice sign(s) shall:
- Provide the time and location of the Planning and Zoning Commission's public meeting at which the Commission's recommendation to the Town Council is scheduled to be made.
 - Provide the time and location of the Town Council's public meeting at which the preliminary plat is scheduled to be acted upon.
 - Provide a general written and/or graphic description of the proposed preliminary plat.
 - Include a clear language describing the administrative nature of the Town's review and possible approval of the proposed preliminary plat.
 - Be posted at least 15 days prior to the Planning and Zoning Commission's first public meeting regarding the preliminary plat.
- 2.** The Commission shall consider the preliminary plat and the Subdivision Technical Review Committee requirements and recommendations. If satisfied that all objectives and requirements of this Ordinance have been met, the Commission may recommend Town Council approval of the preliminary plat and make a notation of the Commission's recommendation for approval on the copy retained in the permanent Commission file.

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3. If the plat is generally acceptable, but requires minor revisions before proceeding to the Town Council for preliminary plat approval, the Commission may recommend conditional approval and the required revisions will be noted in the minutes of the meeting.
4. If all of the objectives and requirements of this Ordinance have not been met, the Commission may recommend Town Council denial of the preliminary plat.
5. The Town Council shall consider the preliminary plat and the Subdivision Technical Committee and Planning and Zoning Commission requirements and recommendations. If satisfied that all objectives and requirements of this Ordinance have been met, the Town Council may approve the preliminary plat and make a notation of the Town Council's approval on the copy retained in the permanent Town Council file.
6. If the plat is generally acceptable, but requires minor revisions, the Town Council may conditionally approve the preliminary plat and the required revisions will be noted in the minutes of the meeting. At the direction of the Town Council, the plat may be approved subject to the revisions in accordance with the stated conditions.
7. If all of the objectives and requirements of this Ordinance have not been met, the Town Council may deny the preliminary plat.

D. Significance of Preliminary Plat Approval:

Preliminary plat approval constitutes authorization for the subdivider to proceed with the preparation of the final plat and improvement plans and specifications for public improvements. Preliminary plat approval is based on the following terms:

1. Subject to the basic approval. The basic conditions under which preliminary approval of the preliminary plat is granted will not be substantially changed prior to the expiration date.

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2. One year approval with extension. Approval is valid for a period of one year from the date of Town Council approval. A request can be made for a single, one-year extension of the original preliminary plat approval. An extension of the preliminary plat approval may be granted by the Town Council upon receipt of a letter from the subdivider prior to the expiration date. Extensions are not automatically approved and are at the discretion of the Town Council.
3. No authority to record. Preliminary plat approval, in itself, does not constitute authorization to record the plat.

Section 2.06 Stage V Final Plat/Improvement Plans

This stage includes the final design of the subdivision, engineering of public improvements, and submittal by the subdivider of improvement plans to the Town Engineer, Fountain Hills Sanitary District, Chaparral City Water Company, and other utilities for approval, including the submittal of the final plat for review and action by the Town Council.

- A. **Final Plat Preparation:** The final plat shall be prepared in accordance with requirements set forth in this section and shall conform to the approved preliminary plat.
- B. **Improvement Plans:** Improvement plans shall be submitted in accordance with the procedures and standards established in Article IV of this ordinance.
- C. **Filing Fee:** The subdivider shall, at the time of filing the application(s) for the final plat and improvement plans, pay the Town the final plat application fee and any improvement plan review, permit and inspection fees that are established by the Town Council.
- D. **Title Report:** The subdivider shall, at the time of filing the application(s) for the final plat and improvement plans, submit an American Land Title Association (A.L.T.A.) title report certifying that the applicant has title, acceptable to the Town Attorney, for all of the land being subdivided.

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E. Information Required for Final Plat Submittal:

- 1. Pre-Final Review:** The subdivider shall file with the Community Development Department two full-size (24" x 36") blue or black line copies of the final plat for conventional subdivisions and three copies for PUD's, commercial, office and industrial centers together with a letter of transmittal, indicating "pre-final review requested". This review can take place anytime following the technical review stage. The Department, upon receipt of the pre-final plat submittal, shall review the plat for conformity to the approved preliminary plat, transferring the second copy to the Engineering Department and/or Building Safety Department for their review and approval for conformance to requirements of the Subdivision Regulations, Subdivision Technical Review Committee requirements and the engineering plans.
- 2. Identification Data Required:**
 - a. A title which includes the name of the subdivision and its location by number of section, township, range and county.
 - b. Name, address and registration number of the seal of the Arizona-registered land surveyor preparing the plat.
 - c. Name, address and registration number of the seal of the Arizona-registered professional civil engineer responsible for the engineering that is necessary in preparation of the proposed subdivision.
 - d. Scale, north arrow, and date of plat preparation.
 - e. The name, address and telephone number of the property owner.
- 3. Survey Data Required:**
 - a. Boundaries of the tract to be subdivided shall be fully balanced and closed, showing all bearings, distances and mathematical calculations, determined by an accurate survey in the field.

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The surveyor of record shall also provide a copy of the computer closure, properly stamped and signed showing registration number. All dimensions shall be expressed in feet and decimals thereof.

- b.** Any excepted parcel(s) within the plat boundaries shall show all bearings and distances, determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals thereof.
- c.** Corners of the plat shall be noted and monuments found or set shall be indicated. Each of two corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter section corners. Portions of any adjacent property between major road intersections shall not be excluded from within the boundaries of the subdivision when needed or required for dedication or improvement of any traffic, drainage, or flood control facility. Such areas may be indicated as excluded tracts after necessary dedications are shown.
- d.** In areas subject to flooding, minimum finished floor elevations shall be shown as determined by the Town Engineer.
- e.** Location and description of cardinal points to which all dimensions, angles, bearings, and similar data on the plat shall be referenced. Each of two corners of the subdivision traverse shall be tied by course and distance to separate section or quarter section corners.
- f.** Location of all physical encroachments upon the boundaries or the tract.
- g.** Total subdivision gross acres.
- h.** Total number of lots and parcels, and the size, in square feet, of each lot or parcel. The size of lots or parcels greater than ten acres in size may be expressed in acres.

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4. Descriptive Data Required:

- a.** Names, centerlines, right-of-way lines, courses, lengths, and width of all public streets, alleys, pedestrian ways, and utility easements; radii, points of tangency, curve lengths, and central angles of all curvilinear streets, alleys and intersection corners.
 - b.** All drainage ways, significant vegetation, rock outcroppings, and other natural features shall be shown on the plat. The rights-of-way of all major drainage ways shall be dedicated drainage easements or right-of-way as determined by the Engineering Department.
 - c.** All easements for right-of-way provided for public services or utilities and any limitations of the easements. The following notations shall be placed on all final plats: "Construction within easements, except by public agencies and utility companies, shall be limited to utilities or removable section type fencing."
 - d.** Location, dimensions and square footage of all lots.
- 1.** All lots shall be numbered by consecutive numbers throughout the plat. "Exceptions", "tracts", and "common open space" shall be so designated, lettered, or named and clearly dimensioned. Ownership and maintenance responsibility for common open space areas shall be indicated on the plat.
 - 2.** Location, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the Town with the use clearly indicated.
 - 3.** Location of all adjoining subdivisions with date, book, and page number of recordation noted, or if unrecorded or unsubdivided, so noted.
 - 4.** Any deed restrictions or restrictive covenants required or to be imposed upon the plat or any part or parts thereof pertaining to the intended use of the land shall be submitted as a part of the total recording submittal.

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5. Dedication and Acknowledgement:

- a. **Dedication:** Statement of dedication of all streets, alleys, drainage detention/retention basins and drainage ways, pedestrian/bicycle ways, and easements for public use, including sanitation, utility, fire and other emergency related vehicles, executed by the person holding title of record, by persons holding titles as vendees under land contract, by the spouse(s) of said parties, lien holders and all other parties having an interest in the property. If lands dedicated are liened, the lien holders shall also sign the plat. Dedication shall include a written location by section, township, and range of the tract. If the plat contains private streets, the public easement, which shall be reserved, shall include the right to install and maintain utilities in any approved private street, including refuse collections, fire and other emergency services.
- b. **Acknowledgment of Dedication:** Execution of dedication shall be acknowledged and certified by a notary public.

6. Required Certification:

- a. Certification by the Arizona-registered land surveyor preparing the plat that the plat is correct and accurate and that the monuments described in it have either been set or located as described. All maps shall contain the seal of a registered land surveyor, as per *Arizona Revised Statutes* (ARS).
- b. Certification by the Director of the Arizona Department of Water Resources that Chaparral City Water Company or its successors has an assured water supply for the subdivision in accordance with Section 45-576 of the *Arizona Revised Statutes*.

- 7.** Discrepancies, errors and omissions are noted on the pre-final copies and returned to the subdivider or his/her representative for correction. When corrections are minor, the Department shall give notification of the next Town Council meeting date and its associated re-submittal cut-off date. When corrections or discrepancies are of major

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importance or of a significant nature, the Department staff may require a second review prior to scheduling the plat for Town Council action.

8. The subdivider shall make all required corrections prior to submitting for Town Council action. The submittal shall include one 8½" x 11" PMT of all final plat sheets in the set and three full-sized, 24" x 36" set of blue or black line paper prints of all final plat and improvement plan sheets to the Department, along with a letter of transmittal requesting to be scheduled for Town Council approval.

F. Certifications:

1. Prior to Town Council approval, the following certifications shall be made:
 - a. Certification by the Town Engineer of plat approval and that all engineering conditions and requirements have been met and that the improvement plans have been completed and approved by the Town Engineer.
 - b. Certification by the Community Development Director of plat approval and that the final plat meets all Subdivision Ordinance regulations.

G. Final Approval:

1. The Town Council shall approve the Final Plat.
2. Within 30 days of Town Council approval of the final plat, the subdivider shall submit to the Town the following fees and documents in a form acceptable to the Town:
 - a. Final plat recording fees, and;
 - b. The subdivision improvement construction assurances, and;
 - c. At least two signed mylar copies of all sheets of the final plat and any other documents to be recorded.

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- 3.** The final plat shall be drawn in black ink on polyester "mylar", measuring exactly 24" x 36" with a left hand margin of 2 inches and be drawn to an accurate engineering scale from an accurate survey. The scale shall be approved by the Town Engineer. The applicant shall also submit a computerized drawing of the final plat in a file format required by the Town of Fountain Hills.
- 4.** The applicant shall submit, prior to final plat recordation and at the time of mylar submission, computerized file drawings of the final plat and some or all of the approved improvement plans in a file format required by the Town of Fountain Hills.
- 5.** Certification of Town Council approval of the final plat, under the signature of the Mayor.
- 6.** Certification by the Town Clerk attesting to the to the mayor's signature and the date the map was approved by the Town Council.
- 7.** When the certificate of approval by the Town Council has been transcribed on the plat, the Engineering Department shall retain the recording copy until the Town Engineer certifies that the subdivision has been staked; that the engineering plans have been approved; computer closure of the plat has been received; that the subdivision improvement construction assurances are in the form and amount to the satisfaction of the Town Engineer and the Town Attorney, along with the Engineer's estimated cost of said improvements has been received; and that any drainage or other restrictive covenants have been signed, notarized and received from the subdivider.
- 8.** Upon receipt of the fees and documents listed in subsection 7 (above), the Town shall then cause the final plat to be recorded in the office of the County Recorder.
- 9.** Certificate of recordation by the County Recorder is caused to be placed on the recording copies and filed in the office of the County Recorder. (Copies with book and page number can be requested by the subdivider for the County's standard fee).

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Section 2.07 Replats

- A.** Any division of a lot in a recorded subdivision, or any change in lot lines in a recorded subdivision, shall be processed in accordance with Section 206 of this Ordinance, after a pre-application conference with Town staff as provided in Section 202 of this Ordinance.
- B.** Any replat involving the dedication of land for a public street or any off-site public improvements shall comply with all procedures set forth in Article II of this Ordinance. If the abandonment of a street, alley or public utility easement or other recorded easement in a previously recorded subdivision is necessary, the replat of that area shall be processed concurrently with the abandonment and recorded immediately subsequent to the recordation of the abandonment.

Section 2.08 Abandonment of a Recorded Subdivision

- A.** Pursuant to the provisions of Title 28, Chapter 14, Article 1, Sub-sections 28-1901 through 28-1908, ARS, the abandonment of all or part of a recorded subdivision may be initiated by written petition to the Town Council. The petition shall be signed by all owners of real property in said subdivision requesting abandonment of all streets, alleys and easements within said subdivision and giving the legal description and recording information thereof.
- B.** Applications for the abandonment of a recorded subdivision are filed with the Community Development Director and referred for recommendation to the Town staff and the appropriate utility companies. After Town Council approval of the abandonment of any streets, alleys and easements within the subdivision, and after Town Council approval of the Abandonment Resolution for the recorded subdivision, and after the abandonment resolutions are recorded with the Maricopa County Recorder's Office, the subdivision is removed from the official maps.

Section 2.09 Appendix

Multiple notations are required to appear on a Final Plat. The notations that are standard on every Final Plat include, but are not limited to the following:

- A.** Assurance statement as follows:

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ASSURANCE STATEMENT:

Assurance in the form of a _____, issued from _____
in the amount of \$_____ has been deposited with the Town Engineer
to guarantee construction of the required subdivision improvements.

- B.** Conveyance and dedication statement as follows:

CONVEYANCE AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT (OWNER'S NAME), AS
OWNER, HAVE SUBDIVIDED (OR RE-SUBDIVIDED) UNDER THE NAME
OF (NAME OF SUBDIVISION), (ADD SECTION, TOWNSHIP AND RANGE)
OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA
COUNTY, ARIZONA AS SHOWN PLATTED HEREON, AND HEREBY
PUBLISHES THIS PLAT AS AND FOR THE PLAT OF SAID (SUBDIVISION
NAME), AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE
LOCATION AND GIVES THE DIMENSIONS OF ALL LOTS, EASEMENTS,
TRACTS AND STREETS CONSTITUTING THE SAME, AND THAT EACH
LOT, TRACT AND STREET SHALL BE KNOWN BY THE NUMBER, LETTER
AND NAME GIVEN EACH RESPECTIVELY, AND THAT (OWNER'S NAME),
AS OWNER, HEREBY DEDICATES TO THE PUBLIC FOR USE AS SUCH THE
STREETS AND HEREBY DEDICATES TO THE PUBLIC THE DRAINAGE AND
PUBLIC UTILITY EASEMENTS AS SHOWN ON SAID PLAT. IN WITNESS
(OWNER'S NAME), AS OWNER, HAS HEREUNTO CAUSED ITS NAME TO
BE SIGNED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF
(OWNER OR DESIGNATED SIGNATORY AND TITLE)

BY: _____ DATE: _____

OWNER'S NAME AND TITLE

- C.** Notary acknowledgement statement as follows:

NOTARY ACKNOWLEDGEMENT:

STATE OF ARIZONA)

COUNTY OF MARICOPA)

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ON THIS, THE _____ DAY OF _____, (YEAR), BEFORE ME THE
UNDERSIGNED (TITLE) PERSONALLY APPEARED
(NAME) _____ WHO ACKNOWLEDGES THAT
HE/SHE EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES
CONTAINED THEREIN.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES

D. Town approval certifications as follows:

TOWN APPROVAL:

APPROVED BY THE TOWN COUNCIL OF FOUNTAIN HILLS, ARIZONA,
THIS _____ DAY OF _____, (YEAR). _____

BY: _____ ATTEST: _____
Mayor TOWN CLERK

APPROVALS:

THIS PLAT WAS APPROVED BY THE TOWN ENGINEER AND THE
COMMUNITY DEVELOPMENT DIRECTOR.

BY: _____
TOWN ENGINEER

DATE: _____

BY: _____

DATE: _____
COMMUNITY DEVELOPMENT DIRECTOR

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E. Surveyors certification as follows:

SURVEYORS CERTIFICATION:

THIS IS TO CERTIFY THE SURVEY AND SUBDIVISION PREMISES DESCRIBED AND PLATTED HEREON WERE MADE UNDER MY DIRECTION DURING THE MONTH OF _____, (YEAR), THAT THE PLAT IS CORRECT AND ACCURATE, THAT THE MONUMENTS SHOWN HEREON HAVE BEEN LOCATED OR ESTABLISHED AS DESCRIBED AND LOT CORNERS HAVE BEEN PERMANENTLY SET.

(SURVEYOR'S NAME AND REGISTRATION NUMBER) (STAMP)

(SURVEYOR'S ADDRESS)